IN THE HIGHs COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 2559 of 2005

Between:

Dinesh Kumar Jain S/o R.S.Jain
President, I.E.S.Club Members Welfare Association, R/o Centricast Linings India Ltd.,
P.25, Road No.10, IDA, Nacharam, Hyderabad. 500 076

..... PETITIONER

AND

1 The Commissioner Cyberabad Police Commissionrate
Lakdikapool, Ranga Reddy District.
2 The Station House Officer Nacharam PS., Hyderabad.
R.R.District.
3 IES Club and Resorts, S.No.44-12A, Adjacent to Nacharam
Telephone Exchange, Nacharam, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ of Mandamus declaring the action of the respondents 1 and 2 in acting unilaterally against the interest of the members of the petitioner association without giving any police protection on the request made by the petitioner which helps 3rd respondents in closing the club closing the club by cancelling the lease deed without giving any opportunity or notice as illegal, arbitrary and against the principles of natural justice and consequentially direct the respondents 1 and 2 to protect the interest of the members of petitioner association and resort by giving police Bundobust and to pass such other order or orders.

Counsel for the Petitioner:MR.M.JANARDHAN RAO

Counsel for the Respondents 1 & 2: GP FOR HOME

The Court made the following :

THE HONORUABLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION NOs.2559 OF 2005

ORDER:

Petitioner seeks a direction to declare the action of the first and second respondents in acting unilaterally against the interest of the petitioner-Association, without giving any police protection on the request made by the petitioner, as illegal and arbitrary.

From the facts, narrated in the affidavit filed in support of the writ petition, it is clear that there is a dispute between the members of one group. However, respondents 1 and 2 cannot resolve such disputes. It is the internal disputes between the members of the group and in such cases, it is totally uncalled for, for the petitioner to seek such relief. If at all there is any grievance, as narrated in the writ petition, petitioner can seek the appropriate relief by filing a suit. Therefore, I do not see any reason to grant relief as sought for by the petitioner and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to cots.

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(***JUSTICE D.S.R.VARMA)***

Dt.02.3.2005.

Mdaa.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner Cyberabad Police Commissionrate
Lakdikapool, Ranga Reddy District.
2 The Station House Officer Nacharam PS., Hyderabad.
R.R.District.
3. Two c.Cs To G.P.For Home, High Court of A.P, Hyderabad (OUT).

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